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September 1, 1992

Wayde Hartwick  
Remedial Project Manager  
(HSRL-6J)

U.S. Environmental Protection Agency  
77 West Jackson Blvd.  
Chicago, Illinois 60604

Karen Martin

Community Relations Coordinator  
(PS-19J)

U.S. Environmental Protection Agency  
77 West Jackson Blvd.  
Chicago, Illinois 60604

**Re: ACS Site Griffith, Indiana  
Submission for Administration Record**

Dear Mr. Hartwick and Ms. Martin:

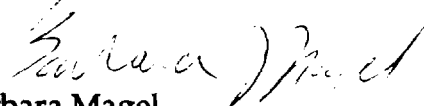
We are writing on behalf of our client with respect to the proposed selection of low temperature thermal treatment for materials contaminated with polychlorinated biphenyls (PCBs) as the remedial treatment alternative for the ACS Site in Griffith, Indiana. While we recognize that the official Proposed Remedial Plan public comment period ended on August 28, 1992 we believe that the information we now submit warrants Agency consideration before a final remedial selection is made.

At the July 7, 1992 public meeting to introduce the U.S.EPA's Proposed Remedial Plan, the representative from the State of Indiana indicated that low temperature thermal treatment is not incineration. However, in dealing with a thermal desorption unit for treatment of soils contaminated with hydrocarbons, both the Indiana Department of Environmental Management and U.S.EPA Region V determined that such a low temperature thermal treatment unit *was* in fact an incinerator for regulatory purposes. In that situation, involving a Heritage Environmental Services, Inc. facility, the Agencies were following long established policies of addressing low temperature units as incinerators.

September 1, 1992  
Page 2

Given these consistent Agency positions, the treatment unit proposed for the ACS Site must also be viewed as an incinerator. As stated in public comments, such a PCB incineration unit is subject to a statutory ban in the State of Indiana and therefore may not properly be selected as an NCP-compliant remedial alternative.

Very truly,

  
Barbara Magel

BAM:sm  
enclosure

cc: Andrew Perellis  
Joe Adams  
Ron Frehner

# DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

INDIANAPOLIS

## OFFICE MEMORANDUM

DATE: August 14, 1991

TO: Heritage Environmental Services, Inc.

THRU: Vic Windle *VW 8/19*

~~HER~~ *ICID*

FROM: Jim Gross *JB 8/19/91*  
Plan Review and Permit Section

SUBJECT: Site Visit

On August 7, 1991 representatives from the U.S. EPA and the Indiana Department of Environmental Management (IDEM) conducted a site visit to inspect a thermal desorption unit. Heritage Environmental Services, Inc. (HES) was represented by the following people: Mark Sutton, Evelyn Ponton, and Jane Merkel. After inspecting the unit, the U.S. EPA and IDEM concur that the unit is actually an incinerator. However, with the information provided to date it is not possible to determine if the unit is burning hazardous or non-hazardous wastes. The wastes injected into the unit are solids from the kasons in HES's used oil recycling process. The used oils are recyclable materials under 329 IAC 3-3-6(b)(3) and are regulated by 329 IAC 3-57-11 through 329 IAC 3-57-15. The U.S. EPA and IDEM both informed HES that further sampling of the solids would need to be done and the samples should be analyzed by TCLP and EP Tox to determine if the solids are hazardous waste. HES has agreed to do further sampling, provide the results to both the U.S. EPA and IDEM, and provide blue prints of the unit.

JDG/go